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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/531,076	03/18/2000	Geoffrey B. Rhoads	60131	5497

23735 7590 10/07/2003

DIGIMARC CORPORATION
19801 SW 72ND AVENUE
SUITE 100
TUALATIN, OR 97062

EXAMINER

ZIA, SYED

ART UNIT	PAPER NUMBER
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2131

6

DATE MAILED: 10/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/531,076

Applicant(s)

RHOADS ET AL.

Examiner

Syed Zia

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 March 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Specification

1. This application does not contain an abstract of the disclosure as required by 37 CFR 1.72(b). An abstract on a separate sheet is required.

Claim Rejections - 35 USC § 112

2. Claim 6 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim Rejections - 35 USC § 102

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

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1. Claims 1-6, and 12-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Shinoda et al. (US Patent 6,611,830).

2. Regarding Claim 1 Shinoda teaches and describes digital watermarking method comprising:

- sensing an object identifier from a first object; sending said first object identifier from a first device to a second device; in response, at said second device, identifying address information corresponding to said first object identifier and sending same to the first device (col.3 line 51 to col.4 line 15);

- initiating a link from the first device in accordance with said address information;
- at said second device, identifying additional objects related to said first object;
- identifying additional address information corresponding to said additional objects; and sending said additional address information to the first device (col.5line 48 to col.6 line 25, and col.6 line 29 to line 47);

- storing said additional address information in a memory at the first device; wherein, if an object included among said identified additional objects is sensed by the first device, the corresponding address information can be retrieved from said memory in the first device without the intervening delays of communicating with the second device (col.7 line 43 to col.8 line 35).

2. Regarding Claim 2 Shinoda teaches and describes a database method comprising:

- generating a database record including plural data fields, generating a file corresponding to said database record and including data from at least certain of said fields, electronically distributing a copy of the file to each of plural recipients, one of said recipients adding data to a copy of the file, or changing data in a copy of the file, and sending the file to the database; updating the database record in accordance with said changed file, generating a new file corresponding to the updated database record and including data from at least certain of said fields; and electronically distributing a copy of the new file to each of said plural recipients (col.4 line 64 to col.5 line 47).

3. Regarding Claim 3 Shinoda teaches and describes system for linking from physical or digital objects to corresponding digital resources, comprising:

- registration means for receiving data relating to an object, including its identity and owner, and associating same in a database with data relating to a corresponding response, originating device means for sensing data from an input object, processing same, and forwarding same to a routing means; routing means for processing the processed data from the originating device means, logging information from same, and forwarding at least certain of said processed data to a product handler means; an product handler means for providing a response to the originating device means in accordance with the information provided thereto by the routing means (col. 4 line 17 to line 63).

4. Regarding Claim 7 Shinoda teaches and describes an apparatus including a watermark detector and a watermark-related software program, operable to transmit a packet of data to a

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remote system, said packet of data comprising (a) an identifier of said software program, and (b) at least a portion of a detected watermark (col.5 line 25 to line 35).

5. Regarding Claim 10 Shinoda teaches and describes an apparatus including a watermark detector and a watermark-related software program, operable to transmit a packet of data to a remote system, said packet of data comprising (a) a context or environment identifier, and (b) at least a portion of a detected watermark (col.5line 25 to line 35).

6. Regarding Claim 13 Shinoda teaches and describes a networked computer system, responsive to watermark data sent from a remote client application to initiate delivery of audio or video data (col. 8 line 36 to line 63).

7. Regarding Claim 15 Shinoda teaches and describes a networked computer system, responsive to watermark data sent from a software program on a remote computer, to initiate delivery of advertisement data to said remote computer (col. 6 line 29 to line 41).

8. Regarding Claim 16 Shinoda teaches and describes a networked computer system, responsive to watermark data sent from a software program on a remote computer, to initiate delivery of updated software to said remote computer (col. 6 line 29 to line 41).

9. Claims 4,5, 8, 9, 11, 12, and 14 are rejected applied as above rejecting Claims 3, 7, 10, and 13. Furthermore, Shinoda teaches and describes a system and method wherein

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- the routing means includes means for checking information in the database (col.8 line 18 to line 35);

- the registration means includes means for generating an encapsulating file and means for distributing said file to predetermined parties (col.2 line 6 to line 17);

- said packet of data also includes address information identifying the apparatus (col.4 line 56 to line 63);

- the remote system including a router and plural handlers, the router directing data from said packet to one of said handlers depending on data within said packet (col.6 line 7 to line 29);

- said packet of data also includes address information identifying the apparatus (col.4 line 56 to line 63);

- the remote system including a router and plural handlers, the router directing data from said packet to one of said handlers depending on data within said packet (col.6 line 7 to line 29);

- responsive to watermark data sent from a software program on a remote computer, to initiate delivery of audio or video data to said remote computer (col.8 line 36 to line 64).

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Syed Zia whose telephone number is 703-305-3881. The examiner can normally be reached on Monday - Friday 9:00 AM to 5:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 703-305-9648. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-746-7240.

SZ
September 27, 2003


AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100